



UNITED STATES PATENT AND TRADEMARK OFFICE

MAY 10 2002

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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/067,050	04/2002	Scott A. Leman	27581/01314

CONFIRMATION NO. 4929

 04743
 MARSHALL, O'TOOLE, GERSTEIN, MURRAY & BORUN
 6300 SEARS TOWER
 233 SOUTH WACKER DRIVE
 CHICAGO, IL 60606-6402

FORMALITIES LETTER



OC000000007565730

Date Mailed: 03/01/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

 Docketed: *SH/02*

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

A copy of this notice **MUST** be returned with the reply.

margaret

Customer Service Center

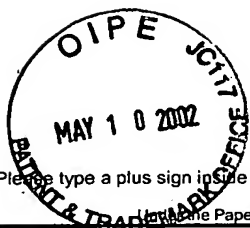
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

05/14/2002 BNGUYEN1 00000045 10067050

02 FC:105

130.00 OP



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sector
GP/3747
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#2

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PTO/SB/21 (08-00)

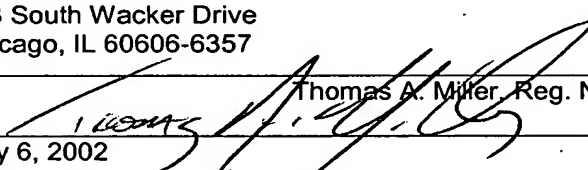
Approved for use through 10/31/2002. OMB 0651-0031

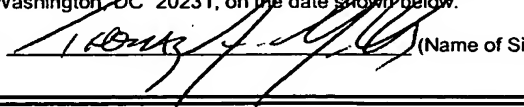
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	10/067,050
		Filing Date	February 4, 2002
		First Named Inventor	Leman, et al.
		Group Art Unit	3747
		Examiner Name	Unassigned
Total Number of Pages in This Submission	4	Attorney Docket Number	27581/01314

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ Remarks	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below) Declaration and POA

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual Name	Marshall, Gerstein & Borun 6300 Sears Tower 233 South Wacker Drive Chicago, IL 60606-6357
Signature	 Thomas A. Miller, Reg. No. 40,091
Date	May 6, 2002

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail, in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on the date shown below.	
Dated: May 6, 2002	Signature:  (Name of Signer) Thomas A. Miller

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated: May 6, 2002

Signature: 

(Thomas A. Miller)

Docket No.: 27581/01314/US
(PATENT)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Scott A. Leman, et al.

Application No.: 10/067050

Group Art Unit: N/A

Filed: February 4, 2002

Examiner: Not Yet Assigned

For: ENGINE VALVE ACTUATOR PROVIDING
MILLER CYCLE BENEFITS

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Box Missing Parts
Commissioner for Patents
Washington, DC 20231

Dear Sir:

In response to the Notice to File Missing Parts of Application – Filing Date
Granted mailed March 1, 2002, Applicant respectfully submits .

Our check in the amount of \$130.00 covering the fee set forth in 37 CFR
1.16(e) is enclosed. The Commissioner is hereby authorized to charge any deficiency in the
fees filed, asserted to be filed or which should have been filed herewith (or with any paper

hereafter filed in this application by this firm) to our Deposit Account No. 13-2855, under Order No. 27581/01314/US. A duplicate copy of this paper is enclosed.

Dated: May 6, 2002

Respectfully submitted,

By 

Thomas A. Miller

Registration No.: 40,091

MARSHALL, GERSTEIN & BORUN

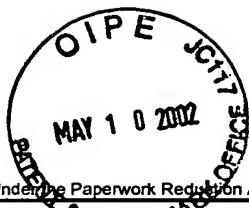
233 S. Wacker Drive, Suite 6300

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(312) 474-6300

Attorneys for Applicant



PTO/SB/17 (11-01)
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FEE TRANSMITTAL for FY 2002 <i>Patent fees are subject to annual revision.</i>		Complete if Known		
		Application Number	10/067,050	
		Filing Date	Feb. 4, 2002	
		First Named Inventor	Leman, et al.	
		Examiner Name	Unassigned	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27	Group Art Unit	3747		
TOTAL AMOUNT OF PAYMENT	(\$)	130.00	Attorney Docket No.	27581/01314

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)			
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None		3. ADDITIONAL FEES			
<input checked="" type="checkbox"/> Deposit Account					
Deposit Account Number					
Deposit Account Name					
The Commissioner is hereby authorized to: (check all that apply)					
<input type="checkbox"/> Charge fee(s) indicated below <input type="checkbox"/> Credit any overpayments					
<input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application					
<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.					
FEE CALCULATION					
1. BASIC FILING FEE					
Large Entity Small Entity					
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	
SUBTOTAL (1)		(\$)		0.00	
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE					
Total Claims		Extra Claims		Fee from below	Fee Paid
Independent Claims		--		x	
Multiple Dependent		--		x	
Large Entity Small Entity					
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claim, if not paid	
109	84	209	42	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)		(\$)		0.00	
**or number previously paid, if greater; For Reissues, see above					
		Other fee (specify)			
		*Reduced by Basic Filing Fee Paid			
		SUBTOTAL (3)		(\$)	240.00

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Thomas A. Miller	Registration No. (Attorney/Agent)	40,091
Signature		Telephone	312.474-6300
		Date	May 6, 2002

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Dated: May 6, 2002	Signature: (Name of Signer) Thomas A. Miller



Certificate of Mailing Under 37 CFR 1.8

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Commissioner for Patents
Washington, DC 20231

on May 6, 2002
Date


Signature

Thomas A. Miller - 40,091

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

IDS (Citation) by Applicant